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8 *Attorneys for Defendant*
Walmart, Inc.

9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 MADELINE MARTINEZ, an individual,

13 Plaintiff,

14 v.

15 WALMART, INC., a Delaware corporation;
DOE INDIVIDUALS I - X; and ROE
16 LEGAL ENTITIES I-X, inclusive,

17 Defendants.
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Case No.: 2:20-cv-01065-JCM-DJA

**STIPULATION AND ORDER TO
EXTEND THE DATE FOR DEFENDANT
WALMART TO FILE AN OPPOSITION
TO PLAINTIFF'S MOTION TO STRIKE
DEFENDANT'S ANSWER FOR AN
ADJUDICATION AS TO LIABILITY OR
IN THE ALTERNATIVE, FOR ADVERSE
PRESUMPTION OR INFERENCE DUE
TO DEFENDANT'S SPOILIATION OF
EVIDENCE RELATING TO THE
SUBJECT ACTION**

20 IT IS HEREBY STIPULATED by Defendants WALMART, INC. ("Defendant"), by and
21 through counsel of record, Timothy Kuhls. Esq. of PHILLIPS, SPALLAS & ANGSTADT, and
22 Plaintiff MADELINE MARTINEZ ("Plaintiff"), by and through her counsel of record, J. Taylor
23 Oblad, Esq. of the ERIC ROY LAW FIRM ("Plaintiff"), (collectively, the "Parties"), hereby stipulate
24 and request that the Court approve their request to extend the existing case deadline
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1 for Defendant Walmart to File an Opposition to Plaintiff's Motion to Strike Defendant's Answer for an
2 Adjudication as to Liability or in the Alternative, for Adverse Presumption or Inference Due to
3 Defendant's Spoliation of Evidence Relating to the Subject Action, making the new date for said
4 Opposition June 30, 2021.

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6 DATED this 23rd day of June, 2021.

7 **ERIC ROY LAW FIRM**

8 *Please see attached.*

9
10 J. TAYLOR OBLAD, ESQ.
Nevada Bar No. 11430
11 ERIC ROY, ESQ.
Nevada Bar No. 11869
12 703 Eighth Street
Las Vegas, NV 89101

13 *Attorneys for Plaintiff*
14 *MADELINE MARTINEZ*

DATED this 23rd day of June, 2021.

PHILLIPS, SPALLAS & ANGSTADT, LLC

/s/ Timothy D. Kuhls, Esq.

ROBERT K. PHILLIPS, ESQ.
Nevada Bar No. 11441
TIMOTHY D. KUHLS, ESQ.
Nevada Bar No. 13362
504 South Ninth Street
Las Vegas, NV 89101

Attorneys for Defendant
Walmart, Inc.

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17 **IT IS SO ORDERED:**

18 The terms of the above Stipulation and Order, between Defendant Walmart and Plaintiff
19 Madeline Martinez, to Extend the Date for for Defendant Walmart to File an Opposition to Plaintiff's
20 Motion to Strike Defendant's Answer for an Adjudication as to Liability or in the Alternative, for
21 Adverse Presumption or Inference Due to Defendant's Spoliation of Evidence Relating to the Subject
22 Action, making the new due date for said Opposition June 30, 2021, shall hereby be the ORDER of this
Court.

23 DATED this 24th day of June 2021.

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UNITED STATES DISTRICT COURT JUDGE

Amanda R. McCarty

From: Amanda R. McCarty
Sent: Wednesday, June 23, 2021 3:46 PM
To: Timothy Kuhls; taylor@ericroylawfirm.com
Cc: Joshua J. Kephart; Stephanisia Millwee; Jennifer Pascual; eric@ericroylawfirm.com
Subject: RE: WMNF Martinez, M. - Extension to File Opposition to PL Motion to Strike
Attachments: 2021-06-23 SAO to Extend Opp date for MTN to Strike DRAFT.pdf

Dear Mr. Oblad,

It was a pleasure speaking with you, and we appreciate the courtesy extension of one (1) week to file an Opposition to the Motion to Strike. I have attached a draft of a Stipulation and Order, between Defendant Walmart and Plaintiff Madeline Martinez, to Extend the Date for Defendant Walmart to File an Opposition to Plaintiff's Motion to Strike Defendant's Answer for an Adjudication as to Liability or in the Alternative, for Adverse Presumption or Inference Due to Defendant's Spoliation of Evidence Relating to the Subject Action, making the new due date for said Opposition June 30, 2021. If you could, please advise if you have any proposed changes or alternatively, whether we may use your electronic signature to submit this to the Court for the Judges signature and filing.

Should you have any questions, please contact me at (702) 608-4921.

From: Timothy Kuhls <tkuhls@psalaw.net>
Sent: Monday, June 21, 2021 5:44 PM
To: taylor@ericroylawfirm.com
Cc: Amanda R. McCarty <amccarty@psalaw.net>; Joshua J. Kephart <jkephart@psalaw.net>; Stephanisia Millwee <Stephanisia@ericroylawfirm.com>; Jennifer Pascual <Jennifer@ericroylawfirm.com>
Subject: WMNF Martinez, M. - Extension to File Opposition to PL Motion to Strike

Evening Taylor,

Hope this email finds you well. I'm asking for your professional courtesy in responding to the Motion to Strike in Madeline Martinez. The Motion was filed on the 9th and the Opposition is due June 23, 2021. Do you mind if I have a **one week extension until the 30th to respond**? Unfortunately, I've been in and out of the hospital dealing with a medical issue the past two weeks.

Kindest regards,

Timothy Kuhls
Partner

tkuhls@psalaw.net
702-938-1510 ext. 214